

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

DONALD BLACKWOOD, et al.,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. 4:23-CV-00780-
	§	ALM-AGD
AMERICAN ECONOMY INSURANCE	§	
COMPANY,	§	
	§	
Defendant.	§	

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On May 1, 2025, the Report of the Magistrate Judge, (Dkt. #37), was entered containing proposed findings of fact and recommendation that Defendant’s Motion to Compel Appraisal and Abate Litigation Pending the Outcome of Appraisal (Dkt. #19) should be granted, and any remaining pending motions should be denied as moot. The Report further recommended that the Parties should be compelled to participate in appraisal in accordance with the contract and that the instant lawsuit and all future deadlines should be abated pending the outcome of the appraisal. The Report also recommended that the Parties submit a joint status report to the Court within ten (10) days of the completion of appraisal; that the joint status report contain a jointly proposed amended scheduling order; that upon receipt of such, the case should be reopened and reset on the undersigned’s trial docket as necessary for final disposition. Finally, the Report

recommended that the Parties submit a Joint Status Report every sixty (60) days during the pendency of the appraisal process.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's Report as the findings and conclusions of the Court.

It is therefore **ORDERED** that Defendant's Motion to Compel Appraisal and Abate Litigation Pending the Outcome of Appraisal (Dkt. #19) is **GRANTED**, and any remaining pending motions are **DENIED AS MOOT**. It is further **ORDERED** that the Parties are compelled to participate in appraisal in accordance with the contract and that the instant lawsuit and all future deadlines are abated pending the outcome of the appraisal. It is further **ORDERED** that the Parties submit a joint status report to the Court within ten (10) days of the completion of appraisal, and the joint status report shall contain a jointly proposed amended scheduling order. Upon receipt of such, the Court shall reopen the lawsuit and reset the case on the Court's trial docket as necessary for final disposition. It is finally **ORDERED** that the Parties submit a Joint Status Report every sixty (60) days during the pendency of the appraisal process.

IT IS SO ORDERED.

SIGNED this 5th day of June, 2025.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE